Misa Kelly: The Ombudsman Circle

"Catch-up" with Ombudsmania: Expanding The Theoretical Base of Ombudsing: A Campus Ombuds Process, Part I.

Misa Kelly © (special thanks to Tom Sebok, Mary Rowe, and members of the CCCUO editorial board for their editorial feedback)

This Project/Paper Continues to Grow & Redefine Itself as I surface new information.

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I. INTRODUCTION

I. A. Prologue

It is the valuable contributions of pioneer ombudsmen, ombuds scholars, and those who have walked within the profession before me that have laid the foundation of understanding from which I draw meaning, purpose, guidance, appreciation, and inspiration. The elders pass along fire from the torch they've kept lit for thirty years and light my torch, offering support, mentorship, and guidance. I begin to carry on their tradition. A tradition marked by a passionate pursuit of a profound sense of life's purpose as a peacemaker-part of which has to do with ombudsing and ombuds scholarship, and part of which entails a life lived outside of the office.

Inspired by the mentorship and writing of Stanley V. Anderson, it is my hope to continue on with his tradition of fostering a greater understanding of ombudsing through research and writing.

Presently, I consider this paper a work in progress, and am seeking feedback from the greater ombuds community with regard to ways in which to improve the work.

It is important to take note that I am not an "academic", but merely an inquisitive, curious practitioner who has always enjoyed a good bit of research, creativity, and invention.

Enjoy!!

I.B. Catch-up with ombudsmania[1]

Over the past forty years, the field of ombudsing has grown faster than ombuds scholars have been able to keep up with. As a consequence, the art and science of ombudsing as defined through ombuds scholarship has yet to reach its fullest potential. Although great strides have been made with regard to understanding the history and dissemination of the concept, as well as the nature of ombudsing systems/schemes[2], much work remains.

For the author, this work marks the beginning of responding to sense of what seems to be missing in the theoretical mix of ombudsing given the existing body of knowledge. In *Reflections of a Budding Ombuds: The First Two Years* (Kelly, 2002) a section appears that outlines some of the elements one "hungers" for after attempting to satiate an appetite for understanding ombuds systems/schemes by digesting a gallimaufry of existing ombuds literature.

One of these elements includes that of an ombuds' process. That is to say, what are the steps of ombudsing, or, how does an ombuds ombud? Professions such as law, therapy, and mediation have clearly articulated processes which are taught during the course of a practitioners training. Because of this, the author assumed that some scholar had already defined and articulated an ombuds process and that this information existed somewhere within existing ombuds literature. Contrary to her expectation, after combing through the existing ombuds literature at her disposal, the author found the field of ombudsing to be strangely silent in this area with the exception of the work of Dr. Lois Price Spratlen, which was discovered after creation of this work[3]. Price Spratlen's concepts will be discussed later within this work.

[1] Ombudsmania is a term created by Stanley V. Anderson. The term was associated with a period of ombuds history where the concept spread at an extremely rapid rate across the globe, and began to be implemented in sectors outside of the 'traditional' government setting (Anderson, 2003).
[2] Ombudsing "system/scheme" refers to the sum total of all theoretical elements associated with an individual ombuds operation.
[3] The author came to this conclusion after digesting a pre-existing body of literature pertaining to ombudsing. Presenting this body of knowledge for review goes beyond the scope of this paper. If you'd like to gain a perspective with regard to existing literature I'd suggest a visit to the reading and resource room on this website. Viewing the resource enables one to gain a sound sense of the scope of the existing body of knowledge. In addition, given the busy schedule of campus ombuds, informing

It is the author's sense that the lack of discussion regarding ombuds processes is, in part, due to the rapid dispersement/evolution of the ombuds concept and the inability of ombuds scholars to keep up with the tsunami of new information that swept into the field of ombudsing after the onset of 'ombudsmania' in the late 60's and early 70's.

I. C. Defining A Process

Responding to this observation, the author concluded that satiating a hunger for a literary ombuds "process" meal would be a by-product of the author's own creation: taking the initiative to search within the refrigerator, and the cupboards, identify the ingredients, and create my own recipe from scratch. Utilizing the ingredients at the author's disposal, the author began with a single office study of a campus ombuds process. The process practiced within the University of California, Santa Barbara's (UCSB) ombuds office.

An understanding of the UCSB Ombuds process was cultivated by the following means:

- Observation of cases handled by UCSB Associate Ombuds Geoffrey Stearns.
- Co-facilitation of UCSB ombuds office cases with Associate Ombuds Geoffrey Stearns.
- Discussions and debriefings about cases with UCSB University Ombuds Dr. Geoffrey Wallace as well as Associate Ombuds Geoffrey Stearns.
- The author handling her personal caseload as Assistant Ombuds.

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one's practice by building a strong theoretical base, having a resource readily accessible in a work setting will enable campus ombuds to more easily inform their practice by accessing educational resources from their offices in any downtime that may occur in the ebbs and flows of providing the campus community with ombuds services. References are also included which illustrate the gamut of educational resources that exist outside of the virtual realm of ombuds scholarship.

- Consideration of defined mediation processes (Kenneth Cloke's 8 Step Resolution Process, Jim Melamed's training manual, Facilitative, Evaluative, Transformative, Narrative, see Appendix I)

In general, within the UCSB office, in order to maximize the use of available resources, cases are considered by more than one ombuds. An intricate system of cross-communication has been created in acknowledgement that "two heads are often better than one". The style provides opportunity for additional brainstorming, clarification, giving and receiving feedback about case strategies/implementation, etc.

The preferred style of Misa Kelly and Geoffrey Stearns is co-facilitation. In that Stearns works 60% time, and Kelly 100% time, the two co-facilitate cases that develop during Stearns scheduled hours. Stearns and Kelly, when necessary, debrief with the University Ombuds Dr. Geoffrey Wallace about co-facilitated cases. The cases that are not handled through co-facilitation are either handled by Dr. Wallace, Geoffrey Stearns, or Misa Kelly. Kelly debriefs when needed with the Associate Ombuds, Geoffrey Stearns as well as the University Ombuds, Dr. Geoffrey Wallace. Stearns debriefs (in event of handling a case alone) with Dr. Wallace and/or Misa Kelly.

I. D. Foundation For Further Research

It is important to note that that the resulting recipe for a campus ombuds process is a single sample within the greater academic sector of ombudsing, which in turn is a part of the greater community of all practicing ombuds in all sectors. This work in no way implies that all campus ombuds processes are alike. Nor does the work imply that the recipes for ombuds processes working in different sectors are the same. The UCSB Ombuds Process is a mere point of departure which serves to begin a conversation within the greater ombuds community about ombuds processes. In

addition, defining a single process constitutes the first step toward realizing a larger research goal defined in five phases:_

Phase One: Singular Campus Ombuds Process Study

Utilizing the ingredients at the author's disposal, the author conducted a single office study. The process practiced within the University of California, Santa Barbara's (UCSB) ombuds office.[4]

This work presents phase one of the author's ombuds process research. In the exploratory phase, the author had not uncovered a definition of an ombuds process with parameters of the process identified and qualified. Therefore, the logical first step with regard to defining an ombuds process was to begin on a micro level by defining a singular process.

The author's research was not conducted in a scientific fashion observing, and taking notes relating to predetermined parameters, but rather, involved an organic process of being "one" with the process as an observer, facilitator, and co-facilitator, digesting the experience, and utilizing the skills/knowledge at the author's disposal to assess, analyze, and qualify the experience. Given this approach to research, the results are more subjective/artful than scientific, in part inspired by the author's extensive training in the arts.

Phase Two: Sector Campus Ombuds Process Study

After identification/qualification of a single campus ombuds process parameters surface that can be utilized as a foundation for developing second phase research processes associated with a sector[5] study of campus ombuds.

[4] The UCSB Ombuds Process has since evolved with the advancement of the Assistant to the Ombuds being promoted to Assistant Ombuds. The initial ombuds process observed in this paper is presented in that it is the office's hope to hire additional support thereby reinstating the process first observed. The difference between the practice process currently observed, and the process practiced in 2001 is the elimination of an "intake interview".

Phase Three: Further Single Office Process Studies

For carving out an understanding of ombuds working in other sectors, the single campus ombuds study will be utilized as a foundation for conducting single office studies within different sectors of ombudsing.

Phase Four: Further Ombuds Process Sector Studies

Once the process is defined and qualified for a single office within each different sector, this information can be utilized to study ombuds processes within each different ombuds sector.

Phase Five: Development of Ombuds Educational Materials

By examining the similarities/differences between the ombuds processes working within the same sector a composite process can be developed for analysis, review, and refinement thereby creating a model well suited for educating ombuds working within different sectors. By examination of similarities/differences in embeds processes across sectors a composite process can be derived in a similar manner that would be well suited for introductory level embeds education through provision of a broad overview of the process.

In addition to setting the stage for further research in this area, this work also sets the stage for a paper entitled "*Mangos and Kiwis: Embeds embed and Mediators Mediate". Mangos and Kiwis* will juxtapose Kenneth Cloche's eight step mediation process with the campus embeds process to present the notion that embeds 'embed' rather than 'mediate' complaints. In addition, this work is an integral component of additional works (*The Nuts & Bolts of Embeds Theory, The Parallel Socio-Cultural Evolution of Embossing, The Basic Embeds Model and its set of*

[5] The organization of ombuds "types" into ombuds sectors arises from work I am currently conducting in the area of the history of ombuds categorization. For research purposes, the "type" of ombuds institution is determined by the term that appears in front of the word ombuds, such as **campus** ombuds, **corportate** ombuds, **newspapear** ombuds. "Category" of ombuds refers to pre-existing terminology that groups "types" of ombuds into like groups such as **classical** ombuds, **organizational** ombuds, **advocate** ombuds, and so on. Sector of ombuds refers to grouping like "types" of ombuds independent of existing categorizational terminology based upon the institutional component of ombudsing. For example, academic sector, government sector, corporate/business sector, health care sector.

Considerations/Principles) that also serve to fill in the gaps with regard to what the author perceives is currently missing in the theoretical mix of embossing.

I. E. Articulating the Process

The author presents the UCSB Ombuds Process in two fashions: as a flow chart visual, with an accompanying partial descriptive analysis. The flow chart analysis will be of benefit when addressing the similarities/differences between ombuds and mediators processes in that mediator processes have been clearly identified in a "step" fashion (see Appendix I). It is important to note, that although the flow chart analysis is presented linearly, the process does not always unfold in a linear fashion, nor do all cases pass through all steps of the process as indicated by the "exit" process arrows.

Also, please note that the "mediation process" itself may be a part of the UCSB campus ombuds process in that mediation is one of the many hats a campus ombuds may wear in the course of complaint handling. Although ombuds may at times utilize mediation as a tool, the process of ombudsing itself is very different than the process of mediation. Lastly, it is important to keep in perspective that this work introduces neoteric theory to the field of ombuds scholarship. The information presented within this work, as previously stated, lays the foundation for further considerations/research.

The author's research was not conducted in a scientific fashion observing, and taking notes relating to predetermined parameters, but rather, involved an organic process of being "one" with the process as an observer, facilitator, and co-facilitator, digesting the experience, and utilizing the skills/knowledge at my disposal to assess, analyze, and qualify the experience. Given this approach to research, the results are more subjective/artful than scientific, in part inspired by my extensive training in the arts.

In that an ombuds process has not yet been defined, and parameters of the process identified and qualified, use of self-reflection and observation presented itself as the

logical first step to carving out an understanding of ombuds processes. After identification/qualification of a single campus ombuds process parameters surface that can be utilized as a foundation for developing second phase research processes associated with a sector study of campus ombuds. For carving out an understanding of ombuds working in other sectors, the single campus ombuds study can be utilized as a foundation for conducting single office studies within different sector of ombudsing (e.g., corporate, government, health care). Once the process is defined and qualified for a single office within each different sector, this information can be utilized for developing the research process to study processes within different ombuds sectors.

II. FLOW CHART ANALYSIS: THE UCSB CAMPUS OMBUDS PROCESS

II. A. Introduction

The following flow chart presents a synopsis of the UCSB Campus Ombuds Process as observed in spring of 2001[6] . Once again, it is important to note that the process does not always proceed in a linear fashion from beginning to end with all steps covered. The nature of the case directs the unfoldment of the process. The key elements of the process outlined in the flow chart include:

A. Preliminary Proceedings:

Initial contact

Log in of complainant/client

Intake interview

[6] The UCSB Ombuds Process has since evolved with the advancement of the Assistant to the Ombuds being promoted to Assistant Ombuds. The initial ombuds process observed in this paper is presented in that it is the office's hope to hire additional support thereby reinstating the process first observed. The difference between the practice process currently observed, and the process practiced in 2001 is the elimination of an "intake interview".

Complainant/client preparation

Ombuds preparation

B. First Meeting:

Confidentiality agreement

Intake form

Information gathering

Support and feedback

Education

Brainstorming

Clarification of complainant/client goals

Strategy development

C. Implementation:

Ombuds steps

Complainant/client steps

Conflict/problem/complaint resolved

D. Closure:

Follow-up

Thank-you

Reflection

Files destroyed.

II. B. FLOW CHART ANALYSIS: THE UCSB CAMPUS OMBUDS PROCESS

A. PRELIMINARY PROCEEDINGS

I. INITIAL CONTACT PROCESS → Either:Provide Information → EXIT

→ Referrral Out → Simple Question Answered

- Telephone call
- Walk In
- Referred by other department

II. LOG IN COMPLAINANT/CLIENT
- Name, contact number, staff/student/faculty status

↓

III. INTAKE INTERVIEW
- Gather Information PROCESS → Referral Out → EXIT
- Set up appointment with Ombuds → Straightforward Case →
- Relay information to Ombuds
- Confidentiality Agreement & Guidelines Form
- Ombuds Intake Information Form

↓

IV. PREPARATION

COMPLAINANT/CLIENT PREPARES
- Reflection
- Gathers materials

OMBUDS PREPARES
- Research
- Debriefing

↓

B. FIRST MEETING

I. CONFIDENTIALITY AGREEMENT

II. GATHER INFORMATION
- Ombuds Intake Information Form
- Storytelling of complainant/client Who, What, When, Where, Why, How
- Surfaced Emotions

III. SUPPORT & FEEDBACK
- Listening Skills-Reflecting Back, Clarifying, Restating, Empathetic
- Therapeutic Benefits

IV. EDUCATION
- Existing Policies, Procedures, Guidelines, Laws

V. BRAINSTORMING

- Possible Courses of Action
- Surfacing complainant/client Intent
- Surfacing Interests
- Surfacing Deeper Layers of the "Story"
- Reframing

VI. CLARIFICATION OF COMPLAINANT/CLIENT GOALS

VII. STRATEGY DEVELOPMENT

- Goal of complainant/client Environment in which the problem/conflict exists
- Power Structures
- Personality, health, lifestyle of complainant/client
- Departments Involved
- Other Parties Involved
- Identification of Respondent
- Existing Policies, Procedures, Guidelines, Contracts, Union Representation-Campus Specific
- Existing Policies, Procedures, Laws, Contracts, Guidelines-Non-Campus Specific
- Grey Areas/Ambiguity in the System
- Possible Courses of Action/Ramifications
- Steps the Ombuds can take
- Steps the complainant/client can take
- Support Systems
- Mediation
- Restorative Justice
- Facilitated Discussion
- Consideration of "other" vantage points
- Working up the food chain
- Witnesses
- Existing Documentation
- Get it in writing

C. IMPLEMENTATION

Complainant/client and ombuds proceed in agreed upon direction. The process unfolds contingent on outcome of initial strategy. Receipt of additional information, unexpected turns, need for additional meetings, and revision of strategy. Subtle play of implementation, comments, and additional implementation. Ombuds may or may not continue to be a part of the process of complaint/conflict/problem resolution. Section 1. gives exit and alternative process strategies, which in itself is a part of the ombuds process. Section 2. illustrates continuing ombuds process strategies.

I. STRATEGY-EXIT AND ALTERNATIVE PROCESS

a) Referred Out → EXIT PROCESS → Ombuds follow-through

"Heads Up"

b) Mediation Process → Complaint Resolved → EXIT PROCESS
Distinctive Tool — Ombuds Follow-up
Ombuds "Hat"

c) Restorative Justice — Complaint Resolved — EXIT PROCESS
Distinctive Tool → Ombuds Follow-up
Ombuds "Hat"

d) complainant/client Chooses not
To pursue matter further → EXIT PROCESS
Ombuds Follow-up

e) Complaint Resolved at
First meeting → EXIT PROCESS
Ombuds Follow-up

f) client empowered and informed →
about how to resolve — EXIT PROCESS
the issue without further assistance — Ombuds follow-through

II. STRATEGY-CONTINUATION OF OMBUDS PROCESS

1. OMBUDS STEPS
- Research-Open and/or Concealed
- Debrief with associates
- Continued communication with complainant/client
- Fact finding
- Feedback on complainant/client created correspondence
- Additional meetings
- Troubleshooting for curveballs
- Surfacing other perspectives (respondents)
- Additional information gathering
- Communication with other departments → SYSTEM FEEDBACK
- Investigation
- Action on behalf of complainant/client
- Continued debriefing → CHANGE AGENT
- Create file

2. COMPLAINANT/CLIENT STEPS
- Chooses strategy
- Pursues path to resolution

- Continued consultation with ombuds
- Problem-solve for "curve balls"
- Support systems
- Additional meetings
- Implementation of revised strategies
- Contact with additional departments/individuals
- Information gathering
- Working up the food chain-informal to formal processes

D. CONFLICT/PROBLEM/COMPLAINT RESOLVED

E. CLOSURE

a. Follow-up
Ombuds contacts complainant/client to "see how things are going"

b. Thank-you
Often times the complainant/client thanks ombuds-email, visit, letter, telephone call, flowers, and cards

c. Reflection
On occasion complainant/client and ombuds meet to reflect upon process

d. Files
After one year the file is destroyed

e. Case Studies/Annual Reports
Ombuds may utilize cases to create a case study, redacted for confidentiality, for use in office updates, reports, and for presentations in educational venues. Notes are made of complaint trends, problematic areas, and recommendations are made to remedy ongoing problems, and to problem solve for system glitches within office updates/reports. Our office has been experimenting with different ways of being a feedback mechanism exploring utilizing an “informal” approach to giving feedback.

III. DESCRIPTIVE ANALYSIS OF THE UCSB CAMPUS OMBUDS PROCESS

III. A. Preliminary Considerations

III.A.a. How the ‘complainant’ finds the UCSB Ombuds Office

The UCSB Ombuds office is publicized utilizing various means. Flyers are distributed around the campus at key locations (Visitors Center,

Women's Center, Counseling Center, other). Contact information (and sometimes a brief mission statement) is printed in the University's General Catalog, Campus Directory, UCSB Student Handbook, Student Health Services Distressed Students Guide, Teaching Assistant's Handbook, and the quarterly Schedule of Classes. The Ombuds Office is cross referenced in policies such as University of California Santa Barbara Campus Regulations Applying to Campus Activities, Organizations, and Students; UCSB Local Policies for Staff Members; Sexual Harassment Policy, Faculty Code of Conduct. Additionally information about the Ombuds office appears on the office website as well as other campus websites. Although information about the UCSB office appears in so many different places the author discovered that many of the 'complainants' learned of the office via word-of-mouth. The office has not yet found a term that seems "perfect" for individuals seeking ombuds services. 'Complainant' seems a bit too sterile/formal given the nature/informality of the relationship between the ombuds and the individuals that seek ombuds services. Additionally, with some cases, due to their complexity and multi-faceted nature, the nature of the case goes beyond the notion of a 'complaint'. 'Visitor' seems much to 'pleasant' and 'casual' given the nature of the work and gravity of issues addressed. The term 'client' carries overtones of 'partiality' in that the term client is associated with the practice of attorneys who advocate for a single side is the term currently used. However, in that

client is defined as “the party for which professional services are rendered” (Dictionary.Com, 2002), the office utilizes the term “client” for individuals who receive ombudsing or other alternative dispute resolution services. In that this work is an integral component of the Basic Ombuds Model and its Set of Basic Ombuds Principles/Considerations, the term complainant/client will be utilized to signify the “client” in an ombuds process.

III.A.b. *The Ombuds Office Environment*

Description of the ombuds office environment is provided in that it is one of the components of creating the ombuds container in which the complainant/client is served and the ombuds process occurs. The ombuds office décor, in part, helps to create the container/environment in which the ombuds handles complaints. The complainant/clients enter the Ombuds Office through one of two doors. Having entrance into the office via the front door as well as the back door ensures that entry into the office itself is a confidential process. The front door faces a large administrative building which houses many of the higher administrative offices and the back door is next to the Disabled Students Program office. In that the office provides ombuds services to individuals working in both buildings the two entrances enable the complainant/client to enter without fear of a

"Colleague peering out the window watching me enter the ombuds office".

In that a part of the UCSB Ombuds Office Mission is to make the institution less "impersonal", and complainants/clients often enter the office deeply distressed, the office décor is designed in such a way to create a welcoming/soothing/grounding atmosphere. The large front office is decorated with plants, colorful hand woven rugs, a miniature fountain, original works of "fine art", "grafitti art", and "folk/indigenous" masks, beaded belts, and colorful "Alebrijes". Water, tea, coffee and/or tissues are offered to the complainant/client when needed or appropriate.

III.B. The Process

III.B.1. Preliminary Proceedings: initial contact, log in of complainant/client, intake interview, complainant/client preparation, ombuds preparation

i. Initial Contact

The process in the UCSB office begins with a complainant/client contacting the office either through a telephone call, visiting the office, or being referred to the ombuds by another source. At this time the complainant/client is logged into a general log which includes the complainant/client's name, contact number, and status (staff, student, or faculty). Some of the problems/conflicts that come through the

office are resolved during the initial contact. Usually these cases are a matter of providing information, referring the complainant/client to another office, or answering a straightforward question. If this is the case, then the complainant/client exits the ombuds process after receipt of pertinent information. If the problem/conflict needs additional attention from an ombuds, contingent on the existing workflow and nature of the case, either an intake interview is conducted by the *Assistant to the Ombuds*, or the complainant/client has his/her first meeting with an ombuds.

ii. *Intake Interview*

In an intake interview the *Assistant to the Ombuds* gathers background information for the ombuds. The individuals name, status (student, staff, faculty), contact telephone number, what offices they might have visited before hand, the "story", pertinent "players", or “respondents” in the story, what courses of action have been taken, etc. At this time effective listening skills, a strong intuition, and knowing what questions to ask serve the process well. On occasion intense emotions come into play while the intake interview is being conducted, a topic which will be addressed later within the work. After the necessary information is gathered the Assistant and the complainant/client work together to set up an appointment with an ombuds. Although the UCSB Ombuds prefer the process of an intake interview, followed by a scheduled

appointment, time permitting the office accommodates "walk-ins". The advantage of setting up an appointment is that the ombuds has opportunity to review information gathered at an intake interview to prepare for the first meeting. If an intake interview is conducted a *Confidentiality Agreement & Guidelines* document is also presented, discussed, and signed, and an *Intake Form* is filled out (Figure 1). These documents will be discussed under *The First Meeting* section.

iii. Complainant/Client and Ombuds Preparations

The ombuds creates a file for the client, and may conduct preliminary research with regard to existing policy on the issue. In addition, the ombuds often debriefs with a colleague. The complainant/client is afforded the opportunity to "digest" what might have been discussed in the intake interview, read any materials made available, and may gather materials necessary for the first meeting.

III.B.2 The First Meeting: confidentiality agreement, intake form, information gathering (storytelling, surfaced emotions), support and feedback, education, brainstorming, clarification of complainant/client goals, strategy development.

i. The Confidentiality Agreement & Guidelines

If an intake interview has not been conducted, the complainant/client is presented a *Confidentiality Agreement & Guidelines* document to read, date, and sign. A copy is made for the complainant/client, and the

original is filed in a confidential binder. This task is handled by the *Assistant to the Ombuds*, a work study student, or an intern. When the document is presented to the complainant/client a brief description of the document is given, and any questions that arise are addressed and answered. A copy of the document is given to the complainant/client for his/her records and the original is filed. As the UCSB ombuds continue to learn from their practice, the document is revised and updated.

The points covered in the *Confidentiality Agreement* & *Guidelines* include:

1. In general, the function of the ombuds is to help individuals resolve complaints. In resolving complaints ombuds advocate for a fair process rather than serving as an advocate for a particular individual or a particular outcome.
2. Our role is confidential, except that we cannot guarantee confidentiality regarding any disclosures of child or elder abuse, sexual harassment or assault, commission of a crime, or danger to self or others. Otherwise, absent a court order or waiver of confidentiality by the student or staff member who consulted the

office, the Ombuds Office will maintain the confidentiality of all dealings and communications with the office, and will assert the protection provided by Evidence Code Section 1119 *et seq.*

3. We do not communicate any confidential or sensitive information via e-mail; we do not believe it to be a sufficiently confidential medium.

4. Because the Ombuds Office is a confidential service, I agree that I will not disclose the content of any communications with or by the Ombuds, including not quoting or referring to any statements of the Ombuds; nor will I do anything to involve the office in the external handling of my matter or complaint.

5. In the event of any legal, administrative or other formal proceeding involving or arising out of a situation about which I have consulted the Ombuds Office, I agree to maintain the confidentiality of all my dealings and communications with the Ombuds Office. I will not disclose them unless compelled to do so by court order, and will not subpoena or otherwise seek to compel the testimony or documents from the Ombuds office or its staff.

6. I understand that if I do not abide by my commitments in Paragraph 5, above, the Ombuds Office will have the right to limited disclosure of the facts and circumstances of my situation to the appropriate party or parties, for the purpose of clarifying and/or correcting any misperception or mischaracterization of the office's role and handling of my matter.

7. The Ombuds does not offer legal advice. Further, our role does not include any contact or communications with attorneys or any further involvement in the matter once legal steps have been initiated.
8. Communications with the ombuds Office are not notice to the University, nor are they a step in any applicable grievance process. Staff and students must meet existing deadlines, for example, for filing grievances, even when they have visited the Ombuds Office.
9. The Embeds Office has the right to dissociate from a matter and discontinue providing service at any time in its sole discretion.

ii. Intake Form

The intake form utilized by UCSB Ombuds is a new tool implemented in 2003 as a means of tracking data useful for presenting in annual reports (Figure 1). If a work study student, or Assistant to the Ombuds handles the incoming call, or handles a walk-in-complainant/client, they gather the necessary information to fill out the intake form. The intake forms are filed in a confidential binder. From this information monthly/annual "ombuds statistics" will be derived at the end of each fiscal year.

iii. Introductions & Preliminary Questions

After signing the confidentiality agreement, introductions occur, and the complainant/client is invited into a private, comfortable inner office space. The ombuds inquires if the complainant/client is familiar with the ombuds office. If he/she has never utilized the services before a brief description of the services ombuds provided is given, the confidentiality agreement is reviewed, and any initial questions about the office and/or confidentiality are addressed. In 2002 the purpose/need for confidentiality on both sides began to be emphasized. In the past, complainant/clients have attempted to use the ombuds as a power figure to pressure a "respondent" to act in the way that supported their desire misconstruing conversations occurred in confidence to impress upon a third party "the ombuds told me this so

you must do that-or else". This sort of activity undermines the work of the ombuds in a serious way. The UCSB ombuds is not an authoritarian figure that provides an absolute which the ombuds demand be followed. Ombuds do not advocate for any one side, but rather, are "impartial" and advocate for fair processes. Impartiality requires careful consideration not only of the complainant/client's views, but careful consideration of the respondent/source of the problem views.

The types of "power" utilized by the UCSB ombuds consist of the power to "investigate" complaints, and the use of "reasoned persuasion" (Anderson, 1993; Wallace, 1993) to advocate for a fair process/outcome. Some ombuds offices utilize the power of publication by addressing issues within their annual reports and advising possible change to remedy problematic areas. The UCSB Ombuds office is in the process of reinstating this practice.

iv.Gathering Information: Storytelling; Who, What, When, Where, Why, How

The next step of the process entails gathering information, which is much about the ombuds' art of listening (and its associated skillset), the ombuds' art of asking questions (knowing when, how, and what sorts of questions to ask), and the complainant/client's art of storytelling (which in turn relates to memory, recovering memory, and in some instances how unprocessed (negative) emotions, shock, and

trauma effect the process of storytelling). Although it goes beyond the scope of this work to cover this step in great detail, an introduction of this step is given to provide a point of departure for further research/discussion amongst ombuds.

The pulse of the process is a safe, impartial, confidential, empathetic container created by the ombuds and the office's mission, functions, and roles as an ombuds serving the UCSB community. The UCSB ombuds begins the information gathering by seeking answers to simple questions asked of all complainant/clients, and works into the more complex, which requires a listening/questioning process that varies from case to case. The first bit of information gathered helps to "break the ice", or put the client/complainant at ease. If an intake form has not been filled out by a work study student, or an assistant, the ombuds asks the questions necessary to fill out an intake form (Figure 1) including the complainant/client's name, staff/faculty/or student status, contact information, the date, referral source, ombuds handling the case, and the general nature of the complaint.

Humor is often brought into the initial moments to help the complainant/client feel at ease. Water, tea, or coffee may be offered to the complainant/client at this point. A box of tissues is always present. The ombuds then invites the complainant/client to "tell their story" by asking them a question such as "can you give me an idea of what is

going on?". At this phase of the process UCSB ombuds do more listening than speaking. If questions need be asked they are artfully interjected to avoid interruption in the midst of a thought. The nature of the questions serve to gather basic information pertaining to who, what, when, where, why, who else has helped the complainant/client with this issue, etc.

There are times when a complainant/client's storytelling diverges into tangents, becomes belabored, or gets caught up in a cycle of repeating the same point. At these times the ombuds may interrupt and slow the process down by interjecting "excuse me for interrupting; I want to make certain I've understood you correctly". The ombuds will then reflect back what he/she has heard and follow through with a question that redirects the storytelling. In general, reflecting back, one of the listening techniques an ombuds employs, is a very important tool. Often times complainant/clients come to the Ombuds Office because they do not feel heard. The author has observed complainant/client’s faces light up when a story is correctly reflected back, and have had complainant/client’s indicate, “that is exactly how I feel” (one of the rewarding elements of the profession). Reflecting back also provides the complainant/client opportunity to add information they may have left out, or, provides the complainant/client an n opportunity to clarify an issue.

As the complainant/client tells his/her story the ombuds utilizes additional listening techniques such as, clarifying, empathizing, and restating (Appendix II). A complainant/client may merely want to come in to provide information, be heard, and give the ombuds a heads up regarding unjust, unfair, or unethical situations. If this is the case, after the therapeutic benefit of speaking with an empathetic ombuds, the complainant/client departs feeling heard, validated, and supported.

v. The Nature of Stories[7]

After the author observed, facilitated, and co-facilitated over two hundred cases within the ombuds office at UCSB, it became evident that although stories may be categorized under a particular type of complaint (Table 1), given the inherent complexity of the human condition, no two stories are identical, nor are stories told in the exact same fashion. As a story unfolds, and underlying issues/concerns surface, the category of "type" of complaint initially presented by the complainant/client may shift/change/diversify. For instance, in handling a recent case that was presented as a "grade complaint", once the story was told it became clear that the complaint was not really about the grade but about discrimination, an unclear syllabus, power imbalances, civility issues, and possible faculty code of conduct violations.

[7] Please note that much of the discussion on the nature of stories is derived from the observational process, and weaving in the work of mediators such as Kenneth Cloke, Bernard Mayer, and Eileen Barker. This section, on its own, could be the foundation of further study about storytelling and ombudsing.

Stories span a continuum of time which encompasses the present, past, as well as the future. They seemingly interconnect to a myriad of elements and layers of considerations indicative of the human condition, both known, and unknown. Elements associated with the complainant/client's story and storytelling may be influenced by many different factors (Table 2)[8]

Woven into the story may be one or more respondents/sources of the problem (the other perspective of the story) that carries its own associations with the above. The source of the problem may not always be an individual, but may be conflict that arises from the complainant/client's interaction with policies, procedures, guidelines, processes associated with the bureaucracy of the UCSB institution. In that UCSB Ombuds serve the staff, faculty, and students in the Santa Barbara region, stories may not directly relate to the UCSB institution, but may arise from conflicts/problems/issues that arise while living in the region (e.g., housing issues, small claims court concerns, concerned parent living away from student, conflict with the law, personal crises).

[8] For additional information about the nature of stories and conflict resolution, I'd highly recommend reading Kenneth Cloke & Joan Goldsmith's book "Resolving Personal & Organizational Conflict: Stories of Transformation & Forgiveness" (Cloke, Goldsmith, 2000) as well as Kenneth Cloke's Mediation Training Manual (Cloke, 2002).

vi. Stress, Trauma, and Storytelling

I've observed a relationship between the degree of emotional/mental stress a complainant/client feels, and the shaping of a story's unfoldment. In general, the greater the amount of stress and unprocessed (negative) emotion a part of the information gathering process, the more chaotic, non-linear, tangential, and dream-like the storytelling logic. In a "logical-sequential" storytelling process one begins at the start and chronologically continues relaying elements of the story as they emerge in a linear fashion, as one might encounter in a story conveyed through the written word. This is pictorially represented in Figure 2.

In instances when the complainant/client has not yet "told" his/her story, or when there is a great deal of emotional/mental/ stress associated with the story, the elements of the story (represented as the shapes A-F) may be subdivided into smaller parts (eg. a + a + a = A) and/or interconnected or overlaying other pieces of the story (e.g. a + b = ab). The story progresses through time in a non-linear, non-logical, tangential, 'dream-like' progression with many layers to the story (Figure 3). I've observed, in the storytelling process, that the more often a complainant/client tells his/her story, the less random, chaotic, and dreamlike the telling, and the more closely the storytelling resembles a "logical-sequential" storytelling process.

Stories often have many different “layers”. The telling of one component prefaces the telling of an element more sensitive, closer to the “heart”. Something can occur, like stripping away the leaves of the artichoke, resulting in getting to the tender heart of “what” the complaint/issue is really about. Additionally, complainant/clients differ in their ability to go “deep” by getting to the heart of the matter. Kenneth Cloke, in his Mediation Training program, trains his students to observe these layers. In Cloke’s book, “Mediating Dangerously”, Cloke expresses that

> “mediating dangerously means searching for the center, which is at the heart of the system that created the conflict…By the heart of the system, we do not mean a physical location or fixed point in time or space. Rather, the circle, center of hub around which everything important revolves” (Cloke, 2001).

vii. Emotional Layer

In that ombudsing is a member of the family of alternative dispute resolution, items from the alternative dispute resolution toolkit have been adapted and integrated into the UCSB ombuds process. Addressing the emotional layer is an important part of the UCSB Ombuds process. This, in part, is due to the influence of master mediator, Kenneth Cloke’s process of facilitating resolution. In Cloke’s eight steps to facilitating resolution, space is built into the process to

surface and process emotions (Cloke, 2002). Another author, Eileen Barker, addresses how to handle the emotional elements of mediation in her article “Emotional Literacy for Mediators” which can be easily adapted to inform the campus ombuds process (Barker, 2003)[9]. Barker draws from the wisdom of Bernard Mayer pointing out that Mayer states in his book *The Dynamics of Conflict Resolution* that "emotions are the energy that fuel conflict," but they can also be the "key to de-escalating it." (Mayer, 2003). In addition to drawing from the wisdom of other scholars, Barker offers her own insight in her article “Tips for Dealing with Emotion in Mediation”. Barker encourages mediators to “learn to embrace healthy emotional expression. Recognize that emotions tend to connect people in a very human way, and often hold the key to unlocking conflict at a profound level” (Barker, 2003).

It is not always the case that an emotional layer is present, but when it is the ombuds must be equipped to witness complainant/clients experiencing anger, shock, confusion, fear, pain. It is not at all unusual for tears to appear in a complainant/client’s eyes or for the complainant/client to begin crying. It is extremely important that how the complainant/client is feeling is not discounted but validated and given room for expression. In addition to utilizing empathetic listening skills the ombuds may offer tissues to those crying, and/or offer water, and on some occasions may remind a complainant/client to breath by

[9]Barker, E. (2003) Emotional Literacy for Mediators. Mediate.com http://www.mediate.com/articles/ebarker1.cfm?nl=22 20 Feb. 2004

taking a deep breath him/herself. While emotions are being surfaced, if a complainant/client's behavior indicates that they might be a danger to themselves we take the form of action that seems most appropriate. For example, one complainant/client, expressed that he/she was in a state of "shut down" so severe he/she had difficulty sleeping, was not able to carry out the simplest of tasks, and expressed intense feelings of despondency. In the initial contact the complainant/client was not asked if he/she was feeling suicidal. After discussing the situation with a colleague we decided it would be best to follow up with a phone call as soon as possible to assure ourselves that the complainant/client wasn't suicidal. He/she assured the office they felt "safe" but agreed that emotional support via counseling was a good idea. The office called the counseling center ahead of time to give the department a "heads up" about the case without revealing the name of the complainant/client so that the counseling center would know to look for him/her and make certain he/she received help as soon as possible.

Whether one takes action beyond good listening skills with regard to assist the complainant/client process emotions depends on the case. Knowing what action to take requires a strong intuition, being able to gauge how "open" a complainant/client is and/or being a good judge of character, and sometimes taking risks (to borrow from Kenneth Cloke's phrase "mediating dangerously", ombuds can "ombuds dangerously").

There are instances when the complainant/client merely wants to be listened to without any response/support from the ombuds. A complainant/client may want to merely "vent", may not want to pursue the matter further, and after “venting” leaves the office content knowing they were heard.

In one case the complainant/client was insulted by the ombuds reflecting back the complainant’s emotions by stating “it seems to me that you are feeling angry about this”. At a later date information surfaced making the risk of asking a "dangerous" question well worth while. The reflecting back of the emotion sparked further discussion which surfaced the fact that the complainant/client had a history of mental illness. The complainant/client decided to follow through with seeking the appropriate psychiatric care.

Following are some examples of how we've addressed the emotional layer beyond employing good listening skills:

a. Create a container of “safety” & “trust” through communicating that the ombuds process is impartial and confidential.
b. Encouraging direct expression of the emotion (“What you are feeling is quite natural given the events that have transpired. I find that it helps to talk about what I am feeling).

c. Inquiring about support systems (“It seems as if this event is really disturbing to you, do you have a support system in place that can help you during this process? Family? Friends? A counselor?)
d. Suggest writing a letter that is never mailed to give the expression a form (“It’s important to process what you are feeling and to know how to direct the unprocessed/negative emotions. Sometimes I find it helpful to write a letter to the other person expressing how I feel with the intent of burning the letter or throwing it away).

Resolving the emotional layer may prove a necessary first step for a complainant/client to take when moving forward to resolve a conflict and/or solve a problem. If additional steps need be taken, and other individuals are consulted by the complainant/client, separating the emotions from the issues and processing them separately enables the complainant/client to present his/her case with a calm demeanor. Presenting a case as a problem to be solved invites others to engage in the problem solving process. If intense emotions surface the complainant/client may experience the defenses of others going up impeding problem solving. In addition, when the emotional charge is released from a situation the complainant/client is better able to access the analytical problem solving skills he/she needs for determining what action ought be taken by the complainant/client (if any).

viii. The art of asking questions[10]

Woven into the arts of storytelling and listening is the ombuds art of asking questions. During the storytelling process, the ombuds will ask the questions necessary to surface the information needed to address the educational, brainstorming, and strategy development steps of the ombuds process (Who, What, When, Where, Why, How interlocking with the complexity of the human experience/respondents yet unknown experience). Much of the questioning process is about gaining a sense of who the complainant/client is as a multi-faceted individual, where his/her interests lie with regard to resolving the case, and what tools might best serve advocating for a fair process. Asking questions helps to facilitate the telling of the "story". Giving "answers" tends to slow down the telling of the story transitioning into the strategy development phase of the process. In questioning "where do the questions come from", and how does one know what to ask, the author can offer a response based on personal experience. Although there are a few basic questions in the ombuds process toolkit (Can you give me an idea of what is going on? What would you like to see happen?) knowing what to ask is a mix of using the intuitive to react to the ongoing/developing analytical analysis of the complainant/client's story. While working with a client I am simultaneously engaged in what is going on with the complainant/client while searching for the

[10] The 'Art of the Ombuds Asking Questions', in itself, could be the topic of an entire paper. Further research is needed in order to address this section adequately.

puzzle pieces that will create a roadmap that gives the “lay of the ombuds land” (the bulk of the information the ombuds needs to transition into the brainstorming, clarification of client goals, and strategy development stages of the process. The ombuds allows the complainant/client to go with the flow of what is unfolding, he/she simultaneously begins to analyze the incoming information, determines what puzzle pieces may be missing, and asks the questions that will help surface the missing puzzle pieces.

Generally speaking, the UCSB ombuds process allows for a one hour session to gather the information needed to move forwards with the handling the complaint. This is not always the case. Some issues may be so complex and multi-layered that more than one session is needed to gather the relevant information. In a recent case, it required four two hour sessions with a particular complainant/client before the ombuds was able to begin working with the complainant/client on education, brainstorming, goal clarification, strategy development steps of the process. The simple complaint of “my supervisor isn’t supervising me” was interconnected to a complex layering of issues, one effecting the other, and vice versa: issues of perceived inadequate supervision, personality conflicts, work style conflicts, work/life imbalances, ongoing inflammatory ‘netiquette’, multiple disability issues, a crisis in the complainant/client’s personal life, an ‘uncontained’ therapeutic process, roommate/house manager disputes,

an unclear job description, poor performance, failing to perform what is within the job description, and so on.

After the information gathering stage the process does not progress in a linear predicable fashion. That is to say, after step one and two are complete you move on to step three. Steps of the ombuds process, as previously expressed, may be a function of overlapping “steps”, going backwards to go forwards, or not passing through all of the possible steps. What occurs next is contingent on the case itself and within the UCSB ombuds process no two cases seem to unfold in exactly the same fashion.

On occasion the process completes itself after the information gathering stage (this is indicated by the “exit” arrows within the flow-chart analysis). For instance, a complainant/client's case might be better handled by a different department/organization. In such a case UCSB ombuds provide the contact information or, if the complainant/client chooses, and gives permission for the ombuds to share information (breaking confidentiality), assists in setting up an appointment. An example of such an instance would be when the complainant/client has a complaint about sexual harassment. Although we are equipped to handle such cases, and the complainant/client prefers to continue working with our department we will continue to do so, usually we refer such cases to our University Sexual Harassment

Officer. Another example would be referring a complainant/client to the Associated Students Legal Services (ASLS). Our office does not give official "legal advice", will not contact or communicate with attorneys regarding a case, and will not become further involved if legal steps are initiated. If the issue is not a student/student or student/university issue, we will refer the complainant/client to ASLS.

ix. Education

If the complainant/client does not exit the ombuds process after the information gathering stage the ombuds will educate the complainant/client with regard to existing policies/procedures/guidelines relevant to the case (sometimes the educational process overlaps with the information gathering phase).

UCSB University Ombuds, Dr. Geoffrey Wallace's advice with regard to integrating policies/procedures/guidelines into the practice, is to handle these items on a case by case basis. He advises such due to the massive amounts of information an ombuds ought be informed about, and the fact that policies/procedures/guidelines change with passage of time. Examples of educational resources pertinent to the UCSB ombuds process are identified in Table 3.

In addition to educating the complainant/client with regard to policies/procedures/guidelines that are pertinent to the case, the UCSB ombuds will engage in a brainstorming session as a precursor to the

clarification of client goals and strategy development steps of the process.

x. Brainstorming

In the brainstorming session the UCSB ombuds will present the gamut of existing possible courses of action for resolving the complaint (which in turn may surface underlying interests, concerns, intentions, deeper layers of the story cycling back to the storytelling phase). In the author's personal practice, the author likens the purpose of the brainstorming session to finding the "Cinderella Slipper" that fits the client's foot. Given the same title to a complaint, what may feel "right", "comfortable", "appropriate" to one complainant/client may feel "wrong", "uncomfortable", "inappropriate" to another complainant/client, or not even relevant, so one continues to bring out different slippers until the fit feels appropriate for the complainant/client. Through a process of presenting possible courses of action, and receiving feedback from the complainant/client, the UCSB ombuds gains a sense of which course of action best suits the complainant/client's needs within the larger framework of advocating for a fair process (e.g., there is more than one way to groom the cat). Finding the appropriate conflict resolution/problem resolving slipper is a function of fitting a foot that can alter shape and consistency when considering the complexity of the human condition that varies from individual to individual (personality type, long term/short term goals,

spiritual/emotional/mental needs, etc.), which is why, ombudsing at times seems much more of an art than a science.

During the brainstorming session the ombuds may reframe an issue presenting to the client possibilities that he/she might not have considered before. Reframing results in changing

> " the conceptual and/or emotional setting or viewpoint in relation to which a situation is experienced and to place it in another frame which fits the 'facts' of the same concrete situation equally well, or even better, and thereby changes its entire meaning" (Blanciak, 2002)[11].

Reframing is utilized both in the field of mediation and therapy. Reframing an issue enables the complainant/client to "separate the people from the problem"[12], to choose appropriate strategies for the different components of a complaint (e.g., appropriately express the "negative emotions" associated with the conflict, seek clarity of vision, and choose the concrete process that will best serve the complaint resolution process).

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[11] Blanciak, P. (2002) *Reframing: The Essence of Mediation*. Mediate. Com <**HTTP://WWW.MEDIATE.COM/ARTICLES/BLANCIAK.CFM?NL=8**> (8 Oct. 2003)

[12] Separating the people from the problem is a concept presented in Roger Fisher and William Ury, Getting to Yes: Negotiating Agreement Without Giving In, (New York: Penguin Books, 1983). Tanya Glasser has written a succinct overview of "Getting to Yes" which can be accessed online at the following web address (I'd suggest reading the book, but if you have a hard time fitting reading into your busy campus ombuds schedule, this piece provides a great synopsis of the book): <http://www.colorado.edu/conflict/peace/example/fish7513.htm> (8 Oct. 2003).

xi. Clarification of Complainant/Client Goals

Once the initial brainstorming session is complete, the ombuds works with the complainant/client to clarify his/her goals, and the complainant/client chooses the path to resolution that seems to meet his/her personal needs, which may, or may not require the ombuds to gather information from the "respondent".

xi.Strategy Development, Implementation, Ombuds Steps, Client Steps, Conflict/Problem/Complaint Resolved, Closure

It is the author's perception, that the realm of possibilities that exist with regard to strategy development, implementation, ombuds steps, client steps, conflict/problem/complaint resolved, are so extensive that a descriptive analysis of these portions of a process would not serve articulating the campus ombuds process well. It is the author's opinion, that these steps of the process would best be articulated through presentation of case studies with corresponding process analyses, which will constitute "Part II" of defining an ombuds process.

IV. CONCLUSION: WHERE TO GO FROM HERE?

As previously expressed, it is important to note that that the UCSB Ombuds recipe for a campus ombuds process is a single sample within the greater academic sector of ombudsing, which in turn is a part of the greater community of all practicing ombuds in all sectors. This work in no way implies that all campus ombuds processes are alike. Indeed, after the completion of the draft submitted for publication consideration, the author's attention was drawn to an article written by

Dr. Lois Price Spratlen entitled “Fact-finding Through Storytelling in Academic Ombudsing”. This article illustrates beautifully the adage that there is nothing new under the sun. Price Spratlen’s article, written more than a decade ago for the California Caucus of College & University Ombudsmen Journal, identifies three phases of an ombuds process: orientation, problem-solving, and termination[13] . Her paper illustrates, that although there are common elements between the process identified by the author of this article, and the process identified by Price Spratlen, they are indeed different recipes punctuating that the process of ombudsing, as presently defined, is indeed more art than science.

In addition, the information that exists with regard to academic ombuds processes does not imply that the recipes for ombuds processes working in other sectors are the same. The UCSB Ombuds Process, as well as the process defined by Dr. Lois Price Spratlen merely represent a point of departure for further discussion and research with the potential to enable ombuds scholars and practitioners to play some serious “catch-up” with Ombudsmania with regard to the “how” an ombuds “ombuds”. For the author, defining the UCSB campus ombuds process, and discovering Price Spratlen’s work, constitutes the first step toward realizing the larger research goal defined in the opening of this work. A research goal, once completed, that will result in identification of ombuds processes indicative of each ombuds sector thereby contributing to the betterment of the profession.

Following are a few closing questions that are meant to serve as seeds. It is the author’s hope that the curiosity of other ombuds is sparked and the topic of ombuds processes becomes the focus of future

[13] Price Spratlen, L. (1992) *Factfinding Through Storytelling in Academic Ombudsing.* CCCUO: The Journal.

conversations in that the “taste of conversation” is truly one of life’s greatest pleasures

What is an ombuds “process”[14]?

What factors determine the “process” of the Ombuds?

How does the educational/life/work experience influence/inform an ombuds process?

What type of education would enable ombuds to evaluate and refine respective processes?

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V. CLOSURE

In closure, rather than recapitulation of ideas presented, I’d like to suggest the possibility of the ombuds process being woven into the art of living. That is to say, in that there is a high burn-out rate for ombuds, living a life outside of ombuds becomes a vital survival consideration, which has much more to do with philosophy/spirituality/art than the art/science of ombuds theory. The life outside of the office has the potential to feed the life within, and the life within has the potential to feed the life outside, with the two

[14] Conduct single office studies of one office from each ombuds sector (e.g., sectors a through e).

Identify ombuds offices working within each sector. Use single office studies a through e to conduct sector studies A (comprised of x number of a, through E (comprised of x number of e).

Examine similarities/differences in ombuds processes working within the same sector. Derive a composite process for analysis, review, refinement. Utilize the composite process for ombuds education.
Examine similarities/differences in ombuds processes across sectors. Derive a composite process suited for introductory level ombuds education that defines a broad overview of the process before presenting sector specific processes (if research indicates that processes differ across sectors).

expressions weaving into the totality of creation. The component of the ombuds process that comprises living a life outside of the office ventures into the land of poetry, metaphor, myth in the remaking, and timeless/ineffable expression.

Stanley V. Anderson's motto is "We Learn From Each Other. We Teach by Example".

In the spirit of this motto, meant to remind myself, and my colleagues, for the sake of holding the sacred space of ombudsing, I'd like to suggest that it is important to honor and give expression to the portion of the process that happens "outside of the office". For my colleague Geoffrey Wallace, this happens in expressions of "cycling" and "a passion for music." For my colleague Geoffrey Stearns, this happens in expressions of "shooting hoops", "surfing", and "travel". For myself, this happens through the arts.

The University of California, Santa Barbara's Ombuds office was closed January 7th of 2004 because of budgetary and staffing issues.

VI. NEW INFORMATION

Since this article was written new information has surfaced about an ombuds process that is presented in draft form as a means of keeping up with the growth of the field. The following illustrates additional ombuds process that surfaced.

Upon reading one of the many drafts for this work Tim Griffin (academic ombuds sector) provided the following outline which summarizes the process that he teaches those who work in the office.

TIM GRIFFIN
WORKING WITH CONSULTEES

I. Personal Factors

A. Physical
1. Eating
2. Sleeping/Rest and Relaxation
3. Exercise
4. Cleanliness/Hygiene

B. Psychological Factors
1. (See physical factors)
2. Service/Empathy/Care Orientation
3. Positive Frame of Mind
4. Non-Judgmentalness/Neutrality
5. One-mindedness (set personal concerns aside)

C. Professional Preparation
1. Brush up on pertinent policies and procedures
2. Have copies of pertinent handouts handy
3. Explore potential options (with other staff members)

D. Other Personal Factors
1. Dress and appearance (including make-up)
2. Olfactory stimulants
   a. smoking
   b. colognes/perfumes
   c. alcohol

II. Physical Environmental Factors

A. Visual Stimulants
1. General room appearance
   a. comfort
   b. soft vs. hard/warm vs. cold
   c. happy/positive vs. depressing/negative
   d. neatness/professionalism
   e. feminine vs. masculine
   f. multi-cultural issues
   g. space
   h. physical barriers (e.g. desk)
   i. clutter vs. neatness
2. Lighting
   a. general level

b. window and lamp locations
(shining in eyes?, can people see in?)
3. Color and color intensity

B. Aural Stimulants
1. Ambient noise
2. Music
3. Conversations of others
4. Fan noise
5. Nervous behaviors
a. tapping feet
b. drumming fingers
6. Phone ringing

C. Olfactory Stimulants
1. General room air
2. Food odors
3. Smoke
4. Air fresheners
5. Colognes/Perfumes (see I-D-2)

D. Other Physical Environmental Factors
1. Drugs (like caffeine)
2. Comfortable chair
3. Temperature/drafts/fresh air (beware of open windows)

III. Intake Procedures

A. Reception Area Greeting
1. Friendly
2. Welcoming (always smile)

B. Ascertain Identity

C. Ask to Complete Intake Form

D. Place Form in New Folder / Deliver to Staffperson

E. While Waiting for Staffperson
1. Small talk is OK, but not required
2. Avoid talking about person's concern
a. he/she will have to repeat it again
b. issues of confidentiality
3. Never discuss another consultee's case (even without revealing names) in front of a consultee

F. Check Intake Form for Crucial Data

IV. Greeting & Getting Started

A. Introduce Self and Shake Hands

B. Invite to Your Office (lead or direct)

C. Close Door Completely

D. Direct to Specific Chair

E. Opening Statement
   1. Confidentiality
   2. Delineation/Outline of meeting format
      a. consultee description of concerns
         b. discussion of available options
   3. Pass ball back to consultee

F. Check Your Body Position & Eye Contact

V. Listening

A. Listening Self-Assessment Exercise

B. Close Mouth

C. Focus Mentally (concentrate)

D. Focus Physically (eye contact)

E. Cognitive & Affective Messages

F. Verbal & Nonverbal Messages

G. Other Principles of Active Listening
   (See materials/handouts)

H. Active Listening Handouts

I. Note-Taking

VI. Affirming Affect and Content

A. Decide Which to Affirm First

B. Empathy (NOT sympathy)

C. Summarize Consultee Concern(s)

VII. FactFinding/Completing the Picture/Verification

VIII. Analysis (Usually Self-Reflective)

A. Re-define Consultee Concern(s) and Desired Outcome(s)

B. List Formal Avenues of Redress
   1. Appeals procedures (internal)
   2. Lines of administrative appeal
   3. Other bodies/agencies/individuals
      a. Affirmative Action Office
      b. Illinois or DeKalb Human Rights Commission
      c. Student Association

C. List Informal Avenues of Redress (be creative)

D. Ignore Consultee's Personality at This Point

IX. Delineation of Options

A. Introduction
   1. "These are all the options available to you now..."
   2. Some may not be desirable to pursue at this time

B. Delineate Formal & Informal Options
   1. Keep it brief
   2. Keep it organized
   3. Discuss details later, unless consultee asks

C. Discuss the Options Most Attractive to Consultee in Detail
   1. Provide consultee with handouts, if appropriate
   2. Provide consultee with names, titles, addresses, phone numbers, etc.

X. Taking Immediate Action

A. Offer, when appropriate

B. Call in Consultee's Presence, if possible

C. Remember, YOU ARE NOT AN ADVOCATE

D. Thank Him or Her for the Assistance

E. Rule of Thumb: Ask, Don't Tell

XI. Taking Follow-up Action

A. Tell Consultee Exactly What You Are Going to Do

B. Arrange for Communication of Findings/Information
1. Consultee calls or comes in:
a. arrange for someone else to provide information if you won't be in then
b. make appointment through receptionist for meeting
2. You call consultee
a. can a name or message be left if machine or someone other than consultee answers?
b. could information be sent in mail? e-mail?

XII. Closing

A. Summarize Options

B. Summarize Actions You Agreed to Take (if any)

C. Present Evaluation Form and Envelope

D. Tell Consultee You are Glad to have Met Him/Her

E. Invite Back if Necessary

F. Reassure Consultee (if appropriate) that Options Do Exist and not to Despair

G. Wish Consultee Good Luck and Shake Hand

H. Direct Consultee Toward Elevators (if necessary)

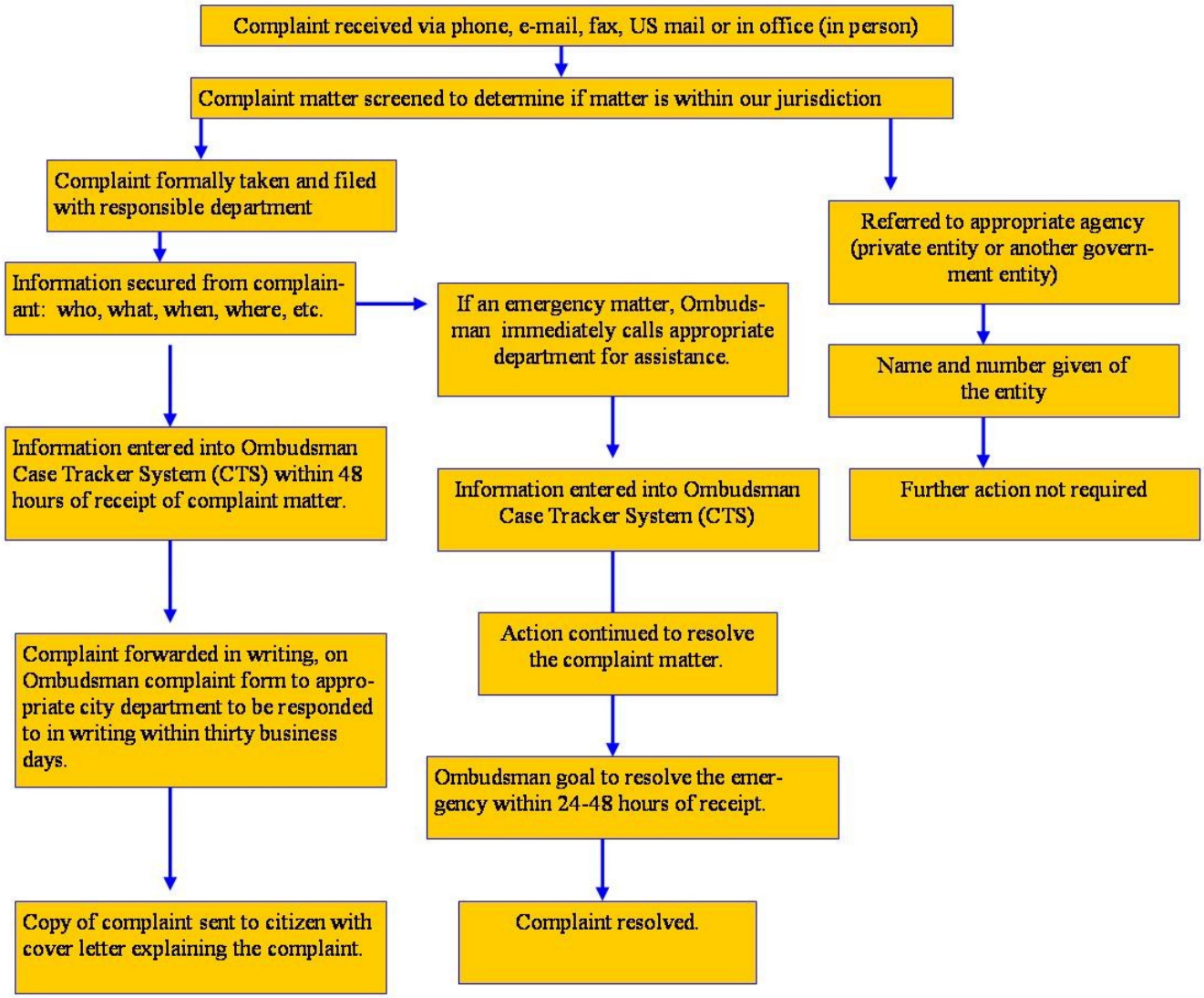
XIII. Completing Consultee Data Sheet
(See data sheet)

XIV. Case Summary/Notes
(See handout)

® 1992 - Tim Griffin

City of Detroit: Ombudsman Complaint Process Explained

On the next page is a flow chart created from the Detroit Ombudsman's Website:
http://www.ci.detroit.mi.us/legislative/CharterAppointments/Ombudsman/omb_complaint_proc.htm


Complaint received via phone, e-mail, fax, US mail or in office (in person)
Complaint matter screened to determine if matter is within our jurisdiction
Complaint formally taken and filed with responsible department
Information secured from complainant: who, what, when, where, etc.
Information entered into Ombudsman Case Tracker System (CTS) within 48 hours of receipt of complaint matter.
Complaint forwarded in writing, on Ombudsman complaint form to appropriate city department to be responded to in writing within thirty business days.
Copy of complaint sent to citizen with cover letter explaining the complaint.
If an emergency matter, Ombudsman immediately calls appropriate department for assistance.
Information entered into Ombudsman Case Tracker System (CTS)
Action continued to resolve the complaint matter.
Ombudsman goal to resolve the emergency within 24-48 hours of receipt.
Complaint resolved.
Referred to appropriate agency (private entity or another government entity)
Name and number given of the entity
Further action not required

ALASKA LONG TERM CARE OMBUDSMAN TRAINING MANUAL

The following is from a Long Term Care Ombudsman Training Manual. It illustrates the ombudsman process in the long term care ombudsman sector in Alaska.

STAGE 1 INTAKE AND INVESTIGATION	
Receive the Complaint	Receive problems, complaints, concerns.
Gather Information	Collect information from interviews, records, observations.
Verify the Problem	Review information gathered. Assess what seems to be at the root of the problem. The complaint may be only a system.
STAGE 2 ANALYSIS AND PLANNING	
Analyze the Situation	Once you identify the problem, consider the causes.
Consider Solutions	Generate alternative solutions or approaches. Who should be involved? When? How? Why?
Identify Obstacles	Anticipate Obstacles to help select an appropriate approach.
STAGE 3 RESOLUTION AND FOLLOW UP	
Choose an Approach	From your list of alternative solutions, choose the most efficient way to proceed, keeping any obstacles in mind. Identify alternative strategies in case you need them.
Act	Proceed with the selected plan, but be prepared to use an alternative.
Evaluate Outcomes	Check back with the persons involved to evaluate the outcomes. Is the problem solved? Is it partially solved? If not, look for new approaches or information and start again.

From the Alaska Long Term Care Ombudsman Training Manual.
Chapter 7, Page 11
http://teampublish.allsoldout.net/teampubv3/includes/C7ProblemSolvingProcess.pdf

Illinois Long Term Care Ombudsman Training Manual.

The following is from a Long Term Care Ombudsman Training Manual. It illustrates the ombudsman process in the long term care ombudsman sector.

Illinois Department on Aging Long Term Care Ombudsman
Complaint Process Summary

The concern and/or complaint resolution process is one that can and should be followed step by step - in a logical order. The following is a summary of the actions that ombudsman undertakes in the complaint resolution process:

- Receive the concern or complaint;
- Identify the problem;
- Receive permission from the resident or legal representative to proceed;
- Gather information;
- Analyze the information;
- Identify possible solutions;
- Identify potential obstacles;
- Select a strategy;
- Take action to resolve the problem;
- Evaluate the outcome;
- Report the outcome; and Document everything as it occurs.

From the ICARE website:
http://www.icare.ws/publicawareness/modules/resolutions/br-body.htm#8

APPENDIX I

MEDIATION STYLES

Kenneth Cloke (Cloke, 2002)

Kenneth Cloke's mediation process is organized in eight steps and is based on the North American model of mediation. It is not always the case that these steps are followed in a linear fashion. One may move forwards, to go backwards and revisit another step in order to move forwards once again. The steps of Ken Cloke's process are quoted from his "Center for Dispute Resolution: Mediation Training Manual" as follows:

1) Set the Stage
2) Listen to the Stories
3) Acknowledge the Emotions
4) Surface the Interests
5) Solve the Problems
6) Negotiate the Differences
7) Review the Agreements
8) Close the Process

James Melamed (Melamed, 2001)
James Melamed, in his training manual, outlines a structure for a "Sample Working Agenda" as follows:

1) Finalize the Agreement to mediate
2) Confirm Process Agreements (Suggested Ground Rules)
3) Identify Needed Information and Documentation
4) Sharing Perspectives
5) Identify and Expand Mutual Interests and Points of Agreement
6) Establish Problem Solving Agenda
7) Discuss and Negotiate Open Issues
8) Draft and Refine Solutions

Jim Melamed's Training Manual is available free, online at the following we address: <*http://www.internetmediator.com/divres/pg1.cfm*> (29 Sep. 2003)

Facilitative Mediation (Linden, 2003)
Jon Linden, in his article "Mediation Styles: The Purist Vs. The Toolkit", identifies the six steps of a facilitative process as follows:

1) Open the Session/Introduction

City of Detroit: Ombudsman C
Process Explained
From th
Complaint forwarded in writing, on Ombudsman
Ombudsman goal to resolve the emergency within 24-48 hours of
Complaint matter screened to

2) Gather Information
3) Focus on Common Ground
4) Create Options
5) Discuss and Consider Options
6) Write the Agreement/Close the Session

Linden's article can be found at the following website address. His work gives a wonderful overview of Facilitative, Evaluative, Transformative, Narrative styles of mediation.
<http://www.mediate.com/articles/linden4.cfm> (29 Sep. 2003)

Transformative Mediation (Bush, Folger, 1994)
The transformative mediation style was collaboratively developed by Robert A. Baruch Bush (law professor) and Joseph P. Folger (social scientist) and is defined in their 1994 book, The Promise of Mediation by Jossey-Bass. Transformative mediation focuses on the potential of mediation to generate transformative outcomes by focusing on empowerment and recognition as opposed to reaching an agreement. In Folger and Bush's article "Transformative Mediation and Third Party Intervention: Ten Hallmarks of Transformative Mediation Practice", empowerment and recognition are defined as follows:

Empowerment: "A focus on empowerment means that the mediator watches for the points in the process where parties have opportunities to gain greater clarity about their goals, resources, options, and preferences-and then works with these opportunities to support the parties' own process of making clear and deliberate decisions".

Recognition: "A focus on recognition means that the mediator watches for the points where disputants face the choice of how much consideration to give the perspective, vies, or experiences of the other – and then works to support the parties' own decision making and perspective-taking efforts at these points.

Rather than define "steps" to the process, Folger and Bush define "Ten Hallmarks" of the transformative mediation style. The hallmarks are defined as:

1) "The Opening Statement Says it All": Describing the Mediator's Role and Objectives in Terms Based on Empowerment and Recognition.
2) "It's ultimately the Parties' Choice": Leaving Responsibility for Outcome With the Parties.
3) "The Parties Know Best": Consciously Refusing to Be Judgemental about Parties' Views and Decisions.
4) "The Parties Have What it Takes": Taking an Optimistic View of Parties Competence and Motives.
5) "There are Facts in the Feelings": Allowing and Being Responsive to Parties' Expression of Emotions.

6) “Clarity Emerges from Confusion”: Allowing For and Exploring Parties Uncertainty.
7) “The Action is ‘In the Room’”: Remaining Focused on the Here and Now of the Conflict Interaction.
8) “Discussing the Past Has Value to the Present”: Being Responsive to Parties’ Statements about Past Events.
9) “Conflict Can Be a Long-Term Affair”: Viewing an Intervention as One Point in a Larger Sequence of Conflict Interaction.
10) “Small Steps Count”: Feeling a Sense of Success when Empowerment and Recognition Occur, even in Small Degrees.

For the busy ombuds, that may not have time to read Folger and Bush’s materials, Heidi Burgess and Mariya Yevsyukova present an excellent overview of The Promise of Mediation: Responding to Conflict Through Empowerment and Recognition. Their article can be found at the following web address:
<http://www.colorado.edu/conflict/transform/folger.htm> (29 Sep. 2003)

Evaluative Mediation (Zumeta, 2000)
Zena D. Zumeta, in her article “Styles of Mediation: Facilitative, Evaluative, and Transformative Mediation” defines evaluative mediation as a process that models on ”settlement conferences held by judges”. While other forms of mediation focus on interests and needs in the resolution process the evaluative mediator looks to legal concepts of fairness for guidance. The evaluative mediator considers both sides and their viewpoints. When considering the two cases inherent weakness are addressed and identified by the mediator. Using this information, the mediator then makes recommendations to both parties based on a prediction of how the judge/jury will respond.

Zumeta’s article can be found at the following web address:
<http://www.mediate.com/articles/zumeta.cfm> (5 Oct. 2003)

APPENDIX II

LISTENING TECHNIQUES

Following are a few listening technique examples that will help to inform your ombuds practice (if you are a new practitioner). If you'd like more information about listening techniques, resources from which this information was partially derived are readily accessible via the internet. The resources are listed at the bottom of this table.

Reflecting Back/Restating: To illustrate to the client that you are listening and hearing what is being expressed. Ombuds restates what he/she heard and reflects the information back to the client. The action can result in the complainant/client feeling validated, empathized with, and can provide therapeutic benefits of "feeling heard". Example phrases: "Correct me if I'm wrong, but I think I heard that you are extremely frustrated with your supervisor, and believe he/she is a bully". "Excuse me, I'd like to slow things down a bit to make certain I'm understanding things correctly. You've been given the run around, shuffled from department to department, and you don't seem to be getting any answers. Is this correct?" Reflecting back/restating can often lead to the expression of other elements of the story.

Encouraging: Use an "encouraging" listening technique to support the complainant/client in the process of telling his/her story. It is important to not agree or disagree, but to support the flow of the story being told. Allow the tone of voice to be positive, supportive. "I see", "yes, go on", "I understand".

Clarifying: Use a "clarifying" listening technique to make sense of the "chaos" of the story, to gather additional facts, to gain a clearer sense of the who, what, when, where, why, and to determine what the existing power imbalances may be. "Excuse me, could you please clarify, who did you talk to first and what did he/she advise?" "Who would you consider to be "power-up" in this situation?

Empathetic: It is important to distinguish between empathy and sympathy in that empathetic listening is much more effective tool than sympathetic listening (Cloke, 2002). Empathy is defined as "identification with and understanding of another's situation, feelings, and motives" (dictionary.com, 2003). Sympathy is defined as "a relationship or an affinity between people or things in which whatever affects one correspondingly affects the other" (dictionary.com, 2003). A sympathetic response might be "oh, I feel so bad that you are having a rough time with your roommate". An empathetic response might be "I've never experienced the exact same situation, but I can certainly understand why you feel the way that you do."

Summarizing: Summarizing affords the ombuds the opportunity to gather the bits and pieces of the story together, and to organize the events in such a way that there is a coherent through line. When a story surfaces in a random matter summarizing enables an ombuds to organize events in such a way that they are more readily evaluated by both the ombuds and complainant/client. In addition, the summarizing may trigger the remembrance of an important element not yet expressed (oh yeah…that reminds me…I forgot to tell you). Example of summarizing: "excuse me for interrupting; I just want to make sure I understand all of your concerns. You tried to talk with your teaching assistant, and he/she was extremely rude sending you to meet with an advisor. The advisor then sent you to the College of Letters and Science who sent you to ombuds."

Flip Side of the Coin: In that the UCSB campus ombuds initially take in the story of the complainant/client, and at times may not contact the respondent, we may listen to the complainant/client's perspective and then ask "how do you suppose he/she feels about this?" "Do you have a sense of how you would react if you were in the other person's shoes"? "Why do you think he/she reacted in such a way?"

Reframing: At times, in the strategizing step of the ombuds process, an ombuds may help a client to "reframe" an issue to better serve the function of advocating for a "fair process". Reframing can be defined as "restating what a party has said to capture the essence, remove negative overtones, and move the process forward (Department of Veteran Affairs, 2000)".

Resources:

CES, The Community Board Program (1987) "Active Listening Techniques" can be found at the following web address: <http://ces.edgateway.net/cs/resources/view/ces_res/31> (5 Oct. 03)

Conflict Research Consortium (1998) "Active Listening" can be found at the following web address: <http://712educators.about.com/gi/dynamic/offsite.htm?site=http%3A%2F%2Fwww.colorado.edu%2Fconflict%2Fpeace%2Ftreatment%2Factivel.htm> (5 Oct. 03)

Department of Veteran Affairs (2000) "Active Listening for Mediators" can be found at the following web address: <http://www.va.gov/adr/active.html> (5 Oct. 03)

Horizon Mediation Services (1991) "Reframing" can be found at the following we address: <http://www.learning-communities.com/hms/conflictresolution/reframing.htm> (5 Oct. 03)

Poytner.org, (2002), “Active Listening Techniques” can be found at the following web address: <http://legacy.poynter.org/Research/lm/lm_listen2.htm> (5 Oct. 03)

RCMP-GRC (1998) “Effective Listening Techniques”, can be found at the following web address: <http://www.rcmp-learning.org/iim/ecdi0073.htm#efflistech> (5 Oct. 2003)

The Neutral Zone Inc. “Communication Skills” can be found at the following web address: <http://www.theneutralzone.ca/downloads/comskills.pdf> (5 Oct. 2003)

VACS (2001) “Active Listening” can be found at the following web address: <http://vacs.uq.edu.au/final/1_27.pdf> (5 Oct. 2003)

FIGURE 1
UCSB Ombuds Intake Form

Confidential
Name of Client:
Contact Number:
****
Date:
1. Ombuds handling case (circle one)*:* GW, GS, MK, GS/MK
2. Gender: Male, Female

3. Status: (circle one)

STAFF,
STUDENT- freshman, sophmore, junior, senior, graduate student
FACULTY
PARENT
OTHER

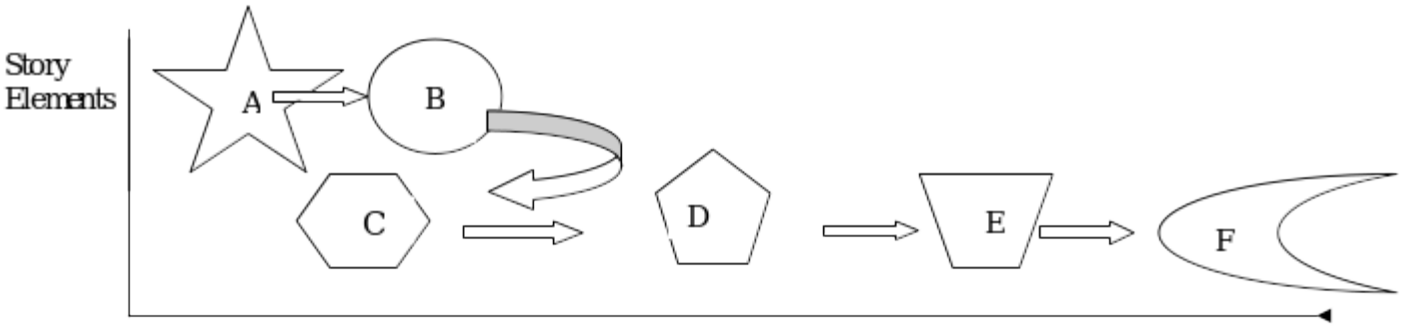
4. Complaint source

On campus complaint, off campus complaint (circle one)

5. Campus Department Complaint/Problem Associated With:
6. Visitor Contacted Office by*:*
   Telephone
   Walk-in
   Referral: by whom?
7. Complaint Type

STUDENT	STAFF	FACULTY	OTHER
Write in Nature of Complaint:	Write in Nature of Complaint:	Write in Nature of Complaint:	Write in Nature of Complaint:
Examples: • grade disputes • academic misconduct • landlord/tenant relations • professor/student relations • student/TA relations • faculty code of conduct violations • disability issues • student/student relations • sexual harassment • restorative justice process • discrimination	Examples: • Disciplinary • management/ employee relations • bullying & harassment • promotion • demotion • reclassification • work environment • discrimination • disability issues	Examples: • tenure and promotion issues • disciplinary actions • violation of the faculty code of conduct • intradepartmental conflicts • MSO/faculty relations • faculty/ student relations • faculty/graduate student relations • intellectual property rights	

STORYTELLING PROGRESSION - FIGURE 2
QUASI-LINEAR PROGRESSION



Order of telling

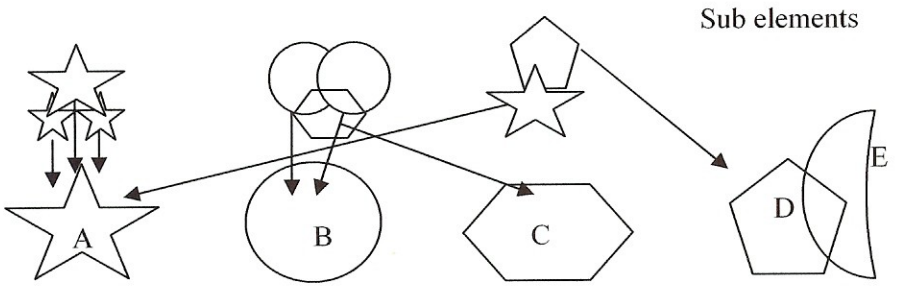
Element A, Element B, Element C (which happened between A & C), Element D, Element E, Element F

If there are not any unprocessed, negative emotions (anger, fear, frustration, aggravation, pain) present in the initial storytelling the elements of the story tend to unfold in a quasi-linear fashion. That is to say, the storyteller expresses element A occurred, followed by element B, and so forth. There may be some "doubling back" when the telling of one element (e.g., the telling of element B triggers remembrance of an element C that happened between element A and B).

FIGURE 3

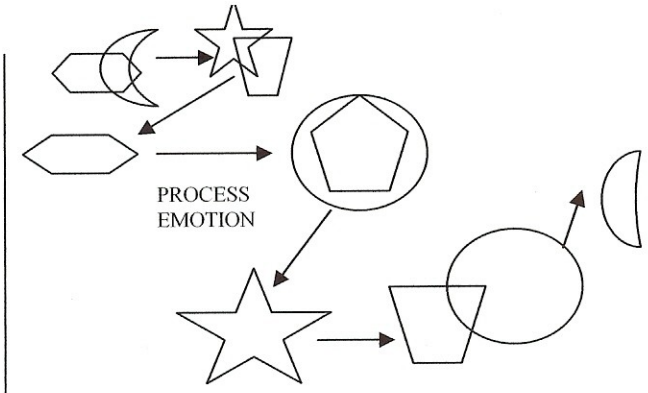
STORYTELLING PROGRESSION: NON-LINEAR, CHAOTIC, TANGENTIAL DREAM-LIKE

Major elements of the story may sub-divide into sub-elements, which when told during different parts of the storytelling, may be retold in the process or surfacing and organizing the major elements of the story. One sub-element may be linked to a sub-element that links to a different major element, or belongs in a different "category" of the story. E.g., when sub-element "c" is separated from sub-elements of "b", as the storytelling progressions sub-element "c" may be reorganized with Major element "C". Oral storytelling is very different than storytelling through use of written language. Written language imposes its form/structure on the spoken word.



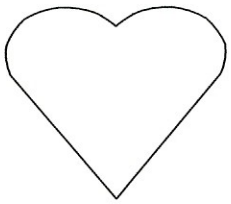
Major Elements comprised of sub-elements that may Interlock, overlap.

Layers of sub-elements that may interconnect, overlap, interweave, and circle back in the telling of a story



TOP LAYER, first told: what is first told may not be the first sub element that happened, but may be related to what seems most pressing to tell.

MIDDLE LAYER, told after first layer is expressed. The story may often link back to something told in the first layer, "Oh, yeah, I forgot this part..."



HEART OF THE STORY, "going deeper" into the story. The telling of other elements enables the storyteller to get to the heart of what is really going on.

Progression of storytelling through time in ombuds information gathering phase when intense unprocessed emotions are present.

TABLE 1

EXAMPLES OF TYPES OF COMPLAINTS HANDLED BY UCSB OMBUDS

Organized by Community Served

Students
- grade disputes
- academic misconduct
- bureaucratic “glitches”
- landlord/tenant relations
- professor/student relations
- student/TA relations
- faculty code of conduct violations
- disability issues
- student/student relations
- sexual harassment
- restorative justice process
- graduate student concerns (intellectual property rights, publication issues, advisor/student relations, graduate student attrition rates, etc)
- discrimination based on race, sex, disability, race, age, religion, sexual orientation

Staff
- Disciplinary actions
- management/employee relations
- changes in departmental structure, rules, policies
- bullying & harassment
- promotion/demotion
- reclassification
- work environment
- discrimination
- disability issues

Faculty
- tenure and promotion issues
- disciplinary actions
- violation of the faculty code of conduct
- intradepartmental conflicts
- MSO/faculty relations
- faculty/undergraduate student relations
- faculty/graduate student relations
- intellectual property rights
- publication issues
- discrimination

TABLE 2

FACTORS THAT MAY INFLUENCE THE COMPLAINT/CLIENT'S STORYTELLING

- Emotional intelligence/health
- Perceptual Experience
- Spiritual awareness/Religious affiliations
- Mental Health
- Psychological Health
- Gender
- Relationship status
- Disabilities
- Soul Needs
- Body Intellect/Physical Experience
- Right brain/left brain intelligence/expression
- personality type
- conflict resolution style
- passions, dreams
- short term goals, long term goals
- family of origin
- cultural components: region, UCSB community, office community
- education, work, life experiences
- political dynamics, power imbalances
- availability of information
- values
- needs, wants, desires
- identity
- ego

TABLE 3

SAMPLE EXAMPLES OF EDUCATIONAL RESOURCES PROVIDED/EXPLAINED TO COMPLAINANT/CLIENTS

- UCSB Sexual Harassment Policy
- UCSB Grading Policies (A10, A25)
- UCSB Student Grievance Procedure (Policy 4105)
- UCSB Academic Senate Faculty Code of Conduct
- Academic Dishonesty
- UCSB College of Letters and Science petitions: adding and dropping classes, retroactive ads, retroactive withdrawals, etc.
- UCSB Teaching Assistant Rights and Resources
- UCSB Campus Regulations Applying to Campus Activities, Organizations, and Students
- UCSB Human Resources Personnel Policies for Staff Members
- UCSB Academic Personnel Procedures
- UCSB Care Team: Values of Our Community
- UCSB Campus Conciliation Council: Resources
- UC and UCSB Mission Statements
- UC University Wide Policies and Procedures
- University of California Policies Pertaining to Research
- Whistleblower Protection Policy
- Union Contracts
- American with Disabilities Act Handbook
- California State and Local Responsibility for Indigent Health Care (we have had several cases of students incapacitated by accidents, without health insurance, in need of assistance)
- Small Claims Court Basics (we don't give legal advice but we will educate a client with regard to an existing process)
- State of California, Department of Consumer Affairs, "A guide to Residential Tenants' and Landlords' Rights and Responsibilities
- Workplace Bullying

As ombuds, we deal directly/indirectly with the many layers of humanitys: soul code layer, spiritual layer, intellect layer, body consciousness layer, creative layer, emotional layer, life experience layer, work experience layer, personality layer, conflict management style layer, genetic layer, cultural layer, mental health layer, passion/dream layer, short term/long term goal layer, collective unconscious layer, and so on (which is part of why I believe Dr. Wallace's observation that a liberal arts education serves the ombuds process well.

These layers make themselves manifest consciously/unconsciously when we utilize the arts of listening, storytelling, and asking questions. It is my perception that there exists in the underbelly of living, the profound interconnection of humanity within the collective unconscious, as well as within the web of creation itself (which is a spiritual experience for myself).

Artists not only connect in the "now" within the uppermost layer of dreaming/living, but also can connect with the deeper layers of humanity's expression.

At times, in the ombuds workspace, intense energies surface wanting expression. The ombuds/artist is not only the listener/observer but has the capacity to connect with these energies on all levels of expression. The expression informs the artist's workspace.

I once had a vision of sorts that describes what happens to these energies.

In the vision there was a sea of humanity wearing masks in an over world. Strings were attached to the masks and linked to an underworld. In the underworld there was a collection of unpleasant things that those in the over world did not know how to express. Some things in life can't be expressed in word, or with a single color, or sound. A few people in the over world journeyed to the underworld and began to digest the contents and create something from the contents. This process enabled strings to be snipped allowing those in the over world to become a tiny bit freer.

It is my sense that the creative process transforms the not so-pleasant expressions into something profound, beautiful, and reflects the expression back to the community, in a form that they can readily digest. In a studio setting, renowned landscape painter Ray Strong, when describing his love for painting onsite, coined the experience, I go and breathe it in, and then breathe it back out (paint on canvas).

I've found that the work can be shamanistic at times. Individuals, when participating in the performance as audience members, can connect to

something that expresses what they cannot express and find release. I've experienced this as an audience member, and I've experienced this as a choreographer.
Email correspondence: August 26, 2003, To: Lois Price Spratlen, Re: Dance Review

REFERENCES

REFERENCES ARE PROVIDED TO ILLUSTRATE THE BREADTH OF INFORMATION ACCESSED THAT DIRECTLY, AND INDIRECTLY INFORMED THE PROCESS OF IDENTIFYING THE UCSB CAMPUS OMBUDS PROCESS. FOR ADDITIONAL RESOURCES, PLEASE VISIT THE OMBUDSMAN'S READING AND RESOURCE ROOM AT THE FOLLOWING WEBSITE ADDRESS:
<**HTTP://WWW.SA.UCSB.EDU/OMBUDS/RESOURCESWEBLINKS/READING&RESOURCEROOM/INDEX.ASP**> (8 OCT. 2003)

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